



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

FEB 27 2015

GENERAL NOTICE LETTER -- URGENT LEGAL MATTER

PROMPT REPLY NECESSARY, CERTIFIED MAIL: #7014 0150 0000 2452 8111

RETURN RECEIPT REQUESTED

Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company
Registered Agent for Vam USA, LLC
211 E. 7th Street, Suite 620
Austin, Texas 78701-3218

RE: General Notice Letter for the CES Environmental Services, Inc.- Houston Superfund Site in
Houston, Harris County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify you of your potential liability at the CES Environmental Services, Inc.- Houston Superfund Site (Site) and to invite you to join in settlement negotiations with the U.S. Environmental Protection Agency (EPA). The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. The Site is surrounded by residential, educational and commercial properties. Based on available information, the EPA has determined that you may be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, for cleanup of the Site or costs the EPA has incurred in cleaning up the Site.

Explanation of Potential Liability

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), PRPs may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility of harm or any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

You have been identified as a PRP who either sent hazardous substances for disposal or treatment to the Site or generated certain hazardous substances that the EPA has found at the Site. For this reason the attached General Notice concerning the removal action (Enclosure 1) is being sent to you. The General Notice requests your cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs. Enclosure 2 contains copies of the documents used to identify you as a PRP. Enclosure 3 contains a list of the entities who are receiving this General Notice.

Site Background

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, 20 aboveground storage tanks, 15 waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there was spillage of chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Removal is time critical per the Action Memo.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to benzene (D018), creosol (D023-026), 2,4,6-trichlorophenol (D042), pH (D002), ignitability (D001), MEK (D035), and 1,2-dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. The EPA's Time Critical Removal Action has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

Upon reviewing the enclosed General Notice, please provide a written response to Mr. Robert Werner, Enforcement Officer at 214-665-6724 within **60 calendar days** after you receive this letter. Your response must identify of your intent to, or not to, enter into settlement negotiations with the EPA concerning this matter. Please mail your written response to Mr. Werner at the address that appears in the General Notice.

We look forward to working with you during the coming months.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Carl E. Edlund, P.E.", with the word "Acting" written in smaller cursive to the right.

Carl E. Edlund, P.E.

Director

Superfund Division

Enclosures (4)

ENCLOSURE 1
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

This General Notice is from the U.S. Environmental Protection Agency (EPA). This General Notice is directed to you, the Potentially Responsible Party (PRP) of the CES Environmental Services, Inc.- Houston Site (Site). This General Notice does five things:

1. This General Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this General Notice, we mean the CES Environmental Services, Inc.- Houston Site. The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. This General Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
2. This General Notice provides you with background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source(s) of the contamination at the Site.
3. This General Notice invites you to meet and enter a settlement with the EPA as a Settling Party regarding the cleanup of this Site and cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs.
4. This General Notice advises you that, if you request the EPA to do so, the EPA will consider your ability to pay in determining an appropriate settlement amount.
5. This General Notice provides to you the names of all entities, i.e., PRPs, to which this General Notice will be mailed.

NOTICE THAT YOU MAY BE LIABLE

Under Section 107 of CERCLA, 42 U.S.C. § 9607, responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance) or persons who selected that facility and transported the hazardous substances to the facility. Section 107 of CERCLA, 42 U.S.C. § 9607, states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting a response action such as that proposed for the Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements, paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

BACKGROUND

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, twenty aboveground storage tanks, fifteen waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there is spillage of

chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Emergency responses to these spills have involved the Estate, City of Houston, Texas Commission on Environmental Quality (TCEQ) and the EPA. These spill responses were addressed by TCEQ and the EPA.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to Benzene (D018), Creosol (D023-026), 2,4,6-Trichlorophenol (D042), pH (D002), Ignitability (D001), MEK (D035), and 1,2-Dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. As of December 19, 2014, the EPA Team has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

PARTICIPATION

The EPA is inviting you to enter into a settlement with the EPA. In addition to avoiding the costs of litigation, settling with the EPA provides you with another advantage. Under the Superfund law, settling with the EPA helps protect you should another responsible party sue you for costs which that party pays to the EPA. Also, if you choose not to settle with the EPA, then the EPA may take civil administrative action and, ultimately, the EPA may request civil judicial action. A list of entities receiving this General Notice letter is included as Enclosure 3 to this letter.

OPPORTUNITY TO MEET

The EPA will also provide you the opportunity to meet with the EPA representatives to discuss your desire to enter into a settlement with the EPA.

FINANCIAL CONCERNS/ABILITY TO PAY SETTLEMENTS

The EPA is aware the financial ability of some PRPs to contribute toward the cleanup and/or payment of response costs at a site may be substantially limited. If you believe and can document that you fall within that category, please contact Mr. Robert Werner at 214-665-6724 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements. If the EPA concludes that you have a legitimate inability to pay the full amount of the EPA's costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, i.e., filing for bankruptcy, you must include the EPA as a creditor.

RESOURCES AND INFORMATION FOR SMALL BUSINESSES

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.epa.gov/swerosps/bf/sblbra.htm>

and review the EPA guidance regarding these exemptions at:

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at www.epa.gov.

In addition, the EPA Small Business Ombudsman may be contacted at www.epa.gov/sbo. Finally, the EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure 4).

YOUR RESPONSE TO EPA

Please notify Mr. Werner in writing at the address indicated below *within 60 calendar days after you receive this letter* to indicate your willingness to enter in good faith as a Settling Party. **If the EPA does not receive your written response within 60 calendar days after you receive this letter, the EPA will assume you do not wish be a Settling Party and the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.**

Your response to this letter should be directed to:

Mr. Robert Werner
Enforcement Officer (6SF-TE)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-6724, Fax: 214-665-6660
werner.robert@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. Amy Salinas
Assistant Regional Counsel (6RC-S)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-8063, Fax: 214-665-6460
salinas.amy@epa.gov

The discussions of fact or law in this General Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this General Notice.

ENCLOSURE 2
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

EVIDENTIARY DOCUMENTATION

SAMPLES OF EVIDENCE

Enclosed are copies of samples of documented evidence that identifies the name of your company. The examples are not intended to represent all the evidence in CES records. It is only a representative sample that identifies:

1. A waste hazardous substance that was generated by your company and was transported to the Site for disposal and/or recycling, or
2. A waste hazardous substance that was generated by your company and that was transported in a CES tanker trailer to a facility other than the Site for disposal and/or recycling. The EPA believes that residue of the waste hazardous substance that had been transported in the CES tanker trailer was released at the Site when the interior of the CES tanker trailer was cleaned at the Site.

**CES Environmental
Services, Inc.**

Bill Of Lading # :

66328

Folder ID :

VAM-USA Heavy Road
Non-Bulk Disposal

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

SHIPPED FROM :

CES Environmental Services, Inc.
4904 Griggs Rd
Houston, TX 77021
(713) 676-1460

CES Profile #

11a)
11b)
11c)
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below; which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its unusual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to Shipper or the "Billed to" party are set forth in the governing contract with Shipper. No charges other than those contained therein may be billed to Shipper or the "Billed to" party without prior written consent of Shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to Shipper or the "Billed to" party and sent to:

CONSIGNEE TO :

VAM-usa
19210 Hardy Road
Houston, TX 77073

CARRIER :

CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021-

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.54b implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
No	2	CF	2	Each	cubic yard box

Shipper : CES Environmental Services, Inc.

Per : X Mardel Davis Signature : X Mardel Davis Date : 6-19-08

Carrier CES Environmental Services, Inc.

Per : Jase Espinal Signature : Jase Espinal Date : 6-19-08

Receiving Facility VAM-usa

Per : JAM Signature : JAM Date : 6-17-08

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

**CES Environmental
Services, Inc.**

Bill Of Lading # :

66401

Folder ID :

VAM-USA (Hardy Road)
- Non-Silk Disposal

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

SHIPPED FROM :VAM-USA
19210 Hardy Road
Houston, TX 77073
(281) 230-5747**CES Profile #**11a) 2296
11b)
11c) 1164
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to shipper or the "Billed to" party are set forth in the governing contract with shipper. No charges other than those contained therein may be billed to shipper or the "Billed to" party without prior written consent of shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to shipper or the "Billed to" party and sent to:

CONSIGNEE TO :CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021**CARRIER :**CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021-

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.540 implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
Yes	1	CF	50	P	Environmentally Hazardous Substance, solid (fluorescent bulbs), 9, UN3077, PGIII
	(2-)				
No	1	CF	60	P	Recyclable Oily Filters

Shipper : VAM-USAPer: x Marcel Garra Signature: x Marcel Garra Date: 6-19-08**Carrier CES Environmental Services, Inc.**Per: Jose Espinal Signature: Jose Espinal Date: 6-19-08**Receiving Facility CES Environmental Services, Inc.**Per: SAM BROWN Signature: SAM BROWN Date: 6-19-08

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

EPAHO012002006

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXD991304155		2. Page 1 of 1		3. Emergency Response Phone (281) 230-5747		4. Manifest Tracking Number 004018292 JJK			
		5. Generator's Name and Mailing Address VAM-USA 19210 Hardy Road Houston, TX 77073 Generator's Phone: (281) 230-5747		State ID: 33140		Generator's Site Address (if different than mailing address) VAM-USA 19210 Hardy Road Houston, TX 77073 (281) 230-5747					
6. Transporter 1 Company Name CES Environmental Services, Inc.		State ID 30900		U.S. EPA ID Number TXD008950461							
7. Transporter 2 Company Name				U.S. EPA ID Number							
8. Designated Facility Name and Site Address CES Environmental Services, Inc. 4904 Griggs Rd. Houston TX, 77021 Facility's Phone: (713) 676-1460		State ID 39048		U.S. EPA ID Number TXD008950461							
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))			10. Containers No. Type		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
		Non-RCRA/Non DOT regulated material (Phosphate Liquids)			9 10 DM		4650	P	00021031		
		Non-RCRA/Non DOT regulated waste sludge (phosphate sludge)			2 DM		800	P	00035131		
	3.										
	4.										
14. Special Handling Instructions and Additional Information Folder ID: VAM-USA (Hardy Road) - Non-Bulk Disposal CES Profile # CES Job # - 65219											
11a) 1165 11b) 1072 11c) 11d)											
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.											
Generator's/Offor's Printed/Typed Name Jennifer Ballard Signature <i>Jennifer Ballard</i> Month Day Year 16 12 08											
TRANSPORTER INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:										
	17. Transporter Acknowledgment of Receipt of Materials										
	Transporter 1 Printed/Typed Name Brent Sittig Signature <i>Brent Sittig</i> Month Day Year 16 12 08										
DESIGNATED FACILITY	18. Discrepancy										
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection										
	Manifest Reference Number:										
	18b. Alternate Facility (or Generator) U.S. EPA ID Number										
	Facility's Phone:										
18c. Signature of Alternate Facility (or Generator) Month Day Year											
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)											
1. 2. 3. 4.											
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a											
Printed/Typed Name SAM BROWN Signature <i>Sam Brown</i> Month Day Year 16 12 08											

**CES Environmental
Services, Inc.**

217
Bill Of Lading # :

65239

Folder ID : VAM-usa Hardy Road
- Non-Hulk Disposal

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

SHIPPED FROM :

CES Environmental Services, Inc.
4904 Griggs Rd
Houston, TX 77021
(713) 676-1460

CES Profile #

11a)
11b)
11c)
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this act meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to Shipper or the "Billed to" party are set forth in the governing contract with Shipper. No charges other than those contained therein may be billed to Shipper or the "Billed to" party without prior written consent of Shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to Shipper or the "Billed to" party and sent to:

CONSIGNEE TO :

VAM-usa
19210 Hardy Road
Houston, TX 77073

CARRIER :

CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021-

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.546 implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			

No DM 30 Each open top drums

Shipper CES Environmental Services, Inc.

Per : Brent Sittig Signature : Brent Sittig Date : 06/02/08

Carrier CES Environmental Services, Inc.

Per : Brent Sittig Signature : Brent Sittig Date : 04/02/08

Receiving Facility VAM-usa

Per : Jennifer Ballard Signature : Jennifer Ballard Date : 6/2/08

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

217

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXD991304155 / 33140	2. Page 1 of 1	3. Emergency Response Phone (281) 230-5747	4. Manifest Tracking Number 004016280 JJK
5. Generator's Name and Mailing Address VAM-USA 19210 Hardy Road Houston, TX 77073 Generator's Phone: (281) 230-5747			Generator's Site Address (if different than mailing address) VAM-USA 19210 Hardy Road Houston, TX 77073 (281) 230-5747		
6. Transporter 1 Company Name CES Environmental Services, Inc.				U.S. EPA ID Number TXD008950461 / 30900	
7. Transporter 2 Company Name				U.S. EPA ID Number	
8. Designated Facility Name and Site Address CES Environmental Services, Inc. 4904 Griggs Rd. Houston TX, 77021 Facility's Phone: (713) 676-1460				U.S. EPA ID Number TXD008950461 / 39048	
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type		11. Total Quantity
		Non-RCRA/Non DOT regulated material (Phosphate Liquids)	3 DM		600
		Non-RCRA/Non DOT regulated waste sludge (phosphate sludge)	1 DM		200
		Non-RCRA/Non DOT regulated waste solids (sandblast media)	2 DM		400
		4.			
13. Waste Codes					
					00021031
					00035131
					00214902
14. Special Handling Instructions and Additional Information Order ID: VAM-USA (Hardy Road) - Non-Bulk Disposals CES Profile # CES Job # - 64207 11a) 1165 11b) 1072 11c) 1090 11d)					
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.					
Generator's/Officer's Printed/Typed Name X Marcel Garraff		Signature X Marcel Garraff		Month Day Year 10 5 08	
TRANSPORTER	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of entry/exit: Date leaving U.S.:		
	17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name Jose Dominguez				
	Signature Jose Dominguez Month Day Year 10 5 08				
DESIGNATED FACILITY	18. Discrepancy 18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection Manifest Reference Number:				
	18b. Alternate Facility (or Generator) U.S. EPA ID Number				
	Facility's Phone:				
	18c. Signature of Alternate Facility (or Generator) Month Day Year				
	19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) 1. 2. 3. 4.				
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a Printed/Typed Name Sam Brown Signature Sam Brown Month Day Year 10 5 08					

GENERATOR INFORMATION

(To be completed by the GENERATOR)

Company VAM PTS Owner/Manager (Print) JIM CARRIL Phone 713-823-1469
Generator's Address 12210 HARDY ROAD City HOUSTON TEXAS Zip Code 77073
City/TCEQ Registration No. _____ L. E. S. Profile # 195691

TYPE OF WASTE GENERATED:

Sewage sludge _____ Industrial/Nonhazardous _____ CAPACITY of waste facility 6,500
Grease Trap _____ Grit Trap _____
Other NON INDUSTRIAL Lint Trap _____
HT

GENERATOR'S CERTIFICATION: I hereby certify that the above named material is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law or any applicable regulation, has been properly described, and the information provided above is complete, true and accurate. If the generator site is located within the city limits of Houston, then I also agree to secure the GENERATOR RETURN (yellow) copy from the Transporter within 15 days of the waste being transported off-site. Retain both the GENERATOR (white) copy and the GENERATOR RETURN (yellow) copy on-site for minimum of five (5) years from the date on the manifest. Falsification of this document is punishable by a fine up to \$20,000.

Owner/Manager Signature Jim Carril Date 05-19-05

TRANSPORTER INFORMATION (To be completed by the TRANSPORTER) TCEQ #

23345

Name of Transporter Co. LES OF TEXAS Phone # 713-673-2995
City Permit # 642 Truck # 785363 License # 2CV 836
Decal letter C Truck Capacity 3000 Quantity of waste removed 6,500

Mailing Address 250 GELBORN HOUSTON TX Driver's Name HENRI TORRES
Name of Disposal Site LES OF TEXAS Address 250 GELBORN HOUSTON TX 77013

I hereby certify that the above named material was picked up at the generator site listed above on the shipment date written above and delivered without incident to the destination listed below. I agree to comply with the City of Houston Code of Ordinances, Chapter 47, article II if generator site is located within the city limits of Houston.

Driver's Signature Henri Torres Date 05-19-05

SECONDARY TRANSPORTER INFORMATION (To be completed by the SECONDARY TRANSPORTER) TCEQ#

Company _____ City Permit # _____ Truck # _____
Mailing Address _____ Driver's Name _____

I hereby certify that the above named material was picked up at the generator site listed above on the shipment date written above and delivered without incident to the destination listed below. I agree to comply with the City of Houston Code of Ordinances, Chapter 47, article II if generator site is located within the city limits of Houston.

Driver's Signature _____

LIQUID ENVIRONMENTAL SOLUTIONS

DISPOSER INFORMATION (To be completed by the DISPOSAL SITE OPERATOR)

Company _____ Disposal Site Location 250 GELBORN DR HOUSTON TX 77013
QUANTITY of waste received 6500 Mailing Address OFFICE: (713)-673-2995
Permit # TCEQ PERMIT #2234A

(I hereby certify that the waste manifested above was transported to this site by the above named transport/secondary transporter and was accepted by this facility for disposal.)

Owner/Manager Signature M. Sullivan Time _____ Date 5-19-05

GENERATOR INFORMATION

(To be completed by the GENERATOR)

Company Yamco Owner/Manager (Print) Jim Carroll Phone 7138231469
Generator's Address 19210 Hardy RD City Houston TX Zip Code 77073
City/TCEQ Registration No. _____ L. E. S. Profile # 195691

TYPE OF WASTE GENERATED:

Sewage sludge _____ Industrial/Nonhazardous _____ CAPACITY of waste facility 5133
Grease Trap _____ Grit Trap _____
Other Non-industrial Lint Trap _____

GENERATOR'S CERTIFICATION: I hereby certify that the above named material is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law or any applicable regulation, has been properly described, and the information provided above is complete, true and accurate. If the generator site is located within the city limits of Houston, then I also agree to secure the GENERATOR RETURN (yellow) copy from the Transporter within 15 days of the waste being transported off-site. Retain both the GENERATOR (white) copy and the GENERATOR RETURN (yellow) copy on-site for minimum of five (5) years from the date on the manifest. Falsification of this document is punishable by a fine up to \$20,000.

Owner/Manager Signature Jim Carroll Date 5-24-05

TRANSPORTER INFORMATION (To be completed by the TRANSPORTER) TCEQ #

23345

Name of Transporter Co. HES of TX Phone # 7136732996
City Permit # 642 Truck # 978800 License # P6WV04
Decal letter E Truck Capacity 5500 Quantity of waste removed 5133

Mailing Address 25061 Horn Driver's Name Khadija Abdullahi
Name of Disposal Site HES of TX Address 25061 Horn

I hereby certify that the above named material was picked up at the generator site listed above on the shipment date written above and delivered without incident to the destination listed below. I agree to comply with the City of Houston Code of Ordinances, Chapter 47, article II if generator site is located within the city limits of Houston.

Driver's Signature Khadija Abdullahi Date 5-24-05

SECONDARY TRANSPORTER INFORMATION (To be completed by the SECONDARY TRANSPORTER) TCEQ#

Company _____ City Permit # _____ Truck # _____
Mailing Address _____ Driver's Name _____

I hereby certify that the above named material was picked up at the generator site listed above on the shipment date written above and delivered without incident to the destination listed below. I agree to comply with the City of Houston Code of Ordinances, Chapter 47, article II if generator site is located within the city limits of Houston.

Driver's Signature _____ Date _____

DISPOSER INFORMATION (To be completed by the DISPOSAL SITE OPERATOR)

Company _____ Owner/Manager (Print) 250 GELLHORN DR HOUSTON TX 77013 Phone _____
Disposal Site Location _____ Mailing Address _____
QUANTITY of waste received 5133 Permit # OFFICE: (713)-673-2995

(I hereby certify that the waste manifested above was transported to this site by the above named transporter and was accepted by this facility for disposal.)

Owner/Manager Signature K. Carr Time _____ Date 5/24/05

CES Environmental Services, Inc
4904 Griggs Rd.
Houston, TX 77021
Office: (713) 676-1480
Fax: (713) 676-1676

Bill Of Lading #: 15905

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

RECEIVED, subject to the contract in effect on the date of the issue of this Bill of Lading.

SHIPPED FROM :
VAM-PTS
19210 Hardy Rd
Houston, TX 77073

CES#
11a) 1061
11b)
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its unusual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to shipper or the "Billed to" party are set forth in the governing contract with shipper. No charges other than those contained therein may be billed to shipper or the "Billed to" party without prior written consent of shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to shipper or the "Billed to" party and sent to:

CONSIGNEE TO :
CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021

CARRIER :
CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this Shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.540 implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

FOR CHEMICAL EMERGENCY CALL - Matt Bowman (713) 828-1329 or Sean Easton (713) 416-4160

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
No	1	TT	60.0	G	Recyclable hydrocarbon and water mixture

Shipper: VAM-PTS

Per: VINCENT LAMOTTE

Signature: 

Date: 11-17-05

Carrier: CES Environmental Services, Inc

Per: JOE CARRILLO

Signature: 

Date: 11/17/05

Receiving Facility: CES Environmental Services, Inc.

Per: A CATAA

Signature: 

Date: 11/17/05

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

CES Environmental Services, Inc
4904 Griggs Rd.
Houston, TX 77021
Office: (713) 676-1460
Fax: (713) 676-1676

Bill Of Lading # : 15947

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

RECEIVED, subject to the contract in effect on the date of the issue of this Bill of Lading.

SHIPPED FROM : CES#
VAM-PTS 11a) 1061
19210 Hardy Rd 11b)
Houston, TX 77073 11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its unusual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to Shipper or the "Billed to" party are set forth in the governing contract with Shipper. No charges other than those contained therein may be billed to Shipper or the "Billed to" party without prior written consent of Shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to Shipper or the "Billed to" party and sent to:

CONSIGNEE TO : CARRIER :
CES Environmental Services, Inc. CES Environmental Services, Inc.
4904 Griggs Rd. 4904 Griggs Rd.
Houston, TX 77021 Houston, TX 77021

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this Shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.549 implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

FOR CHEMICAL EMERGENCY CALL - Matt Bowman (713) 828-1329 or Sean Easton (713) 416-4168

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
No	1	TT	1000	G	Recyclable hydrocarbon and water mixture

Shipper: VAM-PTS

Per: VAM-PTS Signature: Date: 11/18/05

Carrier CES Environmental Services, Inc

Per: Joe Parrillo Signature: Date: 11/18/05

Receiving Facility: CES Environmental Services, Inc.

Per: A CETA Signature: Date: 11/18/05

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

EPAHO008001261

105

**CES Environmental
Services, Inc.**

Bill Of Lading # :

50679

 Folder ID : **VAM-PTS (Hardy Road)**
Sulf-Oily Water

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

SHIPPED FROM :
VAM-PTS
19210 Hardy Rd
Houston, TX 77073
(281) 230-5747
CES Profile #
11a) 1061
11b)
11c)
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its unusual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to Shipper or the "Billed to" party are set forth in the governing contract with Shipper. No charges other than those contained therein may be billed to Shipper or the "Billed to" party without prior written consent of Shipper. The entire copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to Shipper or the "Billed to" party and sent to:

CONSIGNEE TO :
CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021
CARRIER :
CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this Shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.540 implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
No	1	TT	650	G	Recyclable hydrocarbon and water mixture
No					
No					
No					

Shipper : VAM-PTS
 Per RONALD CARP Signature: [Signature] Date: 10-8-07
Carrier CES Environmental Services, Inc.
 Per: J. HERNANDEZ Signature: [Signature] Date: 10-8-07
Receiving Facility CES Environmental Services, Inc.
 Per: Go de/roy Signature: [Signature] Date: 10-08-07

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

EPAHO008001425

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

W0#5437



Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form approved. OMB No. 2050-0039.

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. TXD991304155	Manifest Document No.	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.	
3. Generator's Name and Mailing Address VAM-PTS 19210 Hardy Rd Houston TX, 77073		6. US EPA ID Number TXD008950461		A. State Manifest Document Number 3324129		
4. Generator's Phone () (281) 230-5747		7. Transporter 1 Company Name CES Environmental Services, Inc		B. State Generator's ID 33140		
5. Transporter 2 Company Name		8. US EPA ID Number		C. State Transporter's ID 33140		
9. Designated Facility Name and Site Address US Ecology P.O. Box 307 Robstown TX, 78380		10. US EPA ID Number TXD069452340		D. Transporter's Phone (713) 416-4160		
11A. HM		11. US DOT Description (including Proper Shipping Name, Hazard Class, ID Number and Packing Group) a. RQ, Waste environmentally hazardous substance (lead), 9, UN3077, PG II (Debris)		E. State Transporter's ID		
		12. Containers No. Type 5 DM		F. Transporter's Phone		
		13. Total Quantity 600		G. State Facility's ID 50062		
		14. Unit Wt/Vol lbs		H. Facility's Phone (800) 242-3708		
		15. Waste No. 00000001, 9001				
J. Additional Descriptions for Materials Listed Above US Ecology 800-004-7721 CES Job # - 2217 TW #		K. Handling Codes for Wastes Listed Above MTT, TMT M129				
15. Special Handling Instructions and Additional Information Emergency Contact: Sean Easton (713) 416-4160						
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packaged, marked, and labelled/placarded, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, including applicable state regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.						
Printed/Typed Name Jimmy W. Connel		Signature <i>Jimmy W. Connel</i>		Month Day Year 12/03/03		
17. Transporter 1 Acknowledgement of Receipt of Materials		Printed/Typed Name David Vandenberg		Signature <i>David Vandenberg</i>		Month Day Year 12/03/03
18. Transporter 2 Acknowledgement of Receipt of Materials		Printed/Typed Name ROLANDO MORALES		Signature <i>Rolando Morales</i>		Month Day Year 12/10/03
19. Discrepancy Indication Space						
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.						
Printed/Typed Name SANDRA DAY		Signature <i>Sandra Day</i>		Month Day Year 12/10/03		

ENCLOSURE 3
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

ENTITIES TO WHICH THIS GENERAL NOTICE WILL BE MAILED

The Lubrizol Corporation
Advanced Aromatics, L.P
AMTEX Machine Products, Inc.
Andergauge Drilling Systems
Arkema Inc.
Ball Corporation
Canrig Drilling Technology Ltd.
Century Asphalt (Humble) d/b/a for Baytown Asphalt Materials, Ltd.
Champion Technologies (Merged into Nalco Company)
Citgo Petroleum Corporation (Citgo Refinery)
Cross Oil & Refining & Marketing, Inc..
Dover Corporation - Cook Compression (C Lee Cook)
Evalca Company of America
KMCO, Inc. (new name is Ramsey Properties, L.P.)
PGI International, LTD (merged into Parker-Hannifin Corporation)
Philip Reclamation Services Houston, LLC
Plaquemine Point Shipyard, Sunshine, LA
PPG Industries, Inc.
Praxair, Inc.
Proler Southwest
Quest Chemical Corporation
RasGas in Qatar @ KMTEX
Sierra Chemical Corporation
Skyhawk Chemicals, Inc.
Smithfield BioEnergy, LLC
Sun Coast Resources, Inc.
T. T. Barge Mile (Barge Mile 183, 237)
T. T. Barge Cleaning Mile 183, Inc. (d/b/a T.T. Barge [Mile 183])
T. T. Barges Services Mile 237 LLC (d/b/a T T Barge Mile [Barge Mile 237])
T.T. Barge (Mile 237)
T3 Energy Services-Cypress
Taber Extrusions
Targa Midstream Services LP
Tenaris Coiled Tube, LLC (Beitway 8) a-k-a Precision Tube
Texas Oil Tools, NOV (Conroe)

Texas Water Management

Total Petrochemicals, Inc. - Port Arthur

Transmontaing Product Service

Valero Refining-Texas, L.P. (d/b/a Valero Refining Co of Texas)

ZaCh System Corporation (Ampac)

ENCLOSURE 4
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

SMALL BUSINESS RESOURCES FACT SHEET



Office of Enforcement and Compliance Assurance
INFORMATION SHEET

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture

(www.epa.gov/agriculture or 1-888-663-2155)

Automotive Recycling Industry

(www.ecarcenter.org)

Automotive Service and Repair

(www.ccar-greenlink.org or 1-888-GRN-LINK)

Chemical Industry

(www.chemalliance.org)

Construction Industry

(www.cicacenter.org or 1-734-995-4911)

Education

(www.campuserc.org)

Healthcare Industry

(www.hercenter.org or 1-734-995-4911)

Metal Finishing

(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings

(www.paintcenter.org or 1-734-995-4911)

Printed Wiring Board Manufacturing

(www.pwborc.org or 1-734-995-4911)

Printing

(www.pneac.org or 1-888-USPNEAC)

Transportation Industry

(www.transource.org)

Tribal Governments and Indian Country

(www.epa.gov/tribal/compliance or 202-564-2516)

US Border Environmental Issues

(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators

(www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page

www.epa.gov

Small Business Gateway

www.epa.gov/smallbusiness

Compliance Assistance Home Page

www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance

www.epa.gov/compliance

Voluntary Partnership Programs

www.epa.gov/partners



U.S. EPA SMALL BUSINESS RESOURCES

Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center

(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act

(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.

(www.epa.gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance

Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers.

(www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.

(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse

(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline

(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information

(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.

(1-202-554-1404)

Wetlands Helpline

(www.epa.gov/owow/wetlands/welline.html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman

(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage

(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy

(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy

(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.